



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Operations Service Systems, Inc.

File: B-229747

Date: March 3, 1988

DIGEST

There are no legal or regulatory requirements that an agency evaluate options in a particular procurement.

DECISION

Operations Service Systems, Inc. (OSSI), protests any award under invitation for bids No. DAKF61-87-B-0091, issued by the Department of the Army, Fort McCoy, Wisconsin, for custodial services. OSSI contends that the failure to include option periods is not in the government's best interest since increased small business competition and lower bids could be obtained if option periods were evaluated, and the work could be performed with less operational disruption.

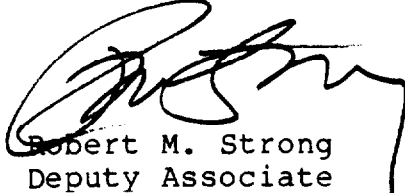
We dismiss the protest.

Under the Competition in Contracting Act of 1984, 31 U.S.C. § 3552 (Supp. III 1985), our Office is authorized to decide bid protests which concern alleged violations of a procurement statute or regulation. We are not aware of any law or regulation which requires the agency to evaluate options in this case. Federal Acquisition Regulation § 17.202(a) (FAC 84-3), merely indicates that contracting officers may include options in a contract when it is in the government's best interest. Here, the contracting officer determined that options were unnecessary to obtain adequate competition

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because the agency normally receives 10-20 bids yearly for the services in question. Consequently, since the determination is discretionary, our Office will not consider a protest alleging that option periods should be evaluated. International Business Investments, Inc., 63 Comp. Gen. 463 (1984) 84-1 CPD ¶ 693.

The protest is dismissed.



Robert M. Strong
Deputy Associate
General Counsel